

## AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A breathing assistance apparatus comprising:  
~~a nasal cannula, shaped to fit within a user's nares, and adapted to deliver said humidified gases to said user, said nasal cannula comprising:~~  
~~wherein said nasal cannula includes at least one prong shaped to fit within the user's nare that is capable of increased flow delivery of said gases and creates a positive airway pressure in said user's airway, said at least one prong having an opening at its end, wherein the opening is formed in a plane that is oriented at an angle with respect to a transverse plane, the transverse plane being transverse to a longitudinal axis of a portion of the prong extending from the opening, such that in use, gases flowing through said prong are directed to said user's nasal passages; and~~  
~~a plurality of apertures configured to externally vent gases exhaled by the user through the user's nare.~~
2. (Original) A breathing assistance apparatus according to claim 1 wherein said nasal cannula includes arms or loop to attach a head strap to said cannula.
3. (Original) A breathing assistance apparatus according to claim 2 wherein said head strap is a small flexible tube.
4. (Previously Presented) A breathing assistance apparatus according to claim 1 wherein said at least one prong includes a flange near or about its end.
5. (Previously Presented) A breathing assistance apparatus according to claim 1 wherein said at least one prong is two prongs that are angled toward one another and are oval in shape such that they substantially follow the shape and contour of human nares.
6. (Original) A breathing assistance apparatus according to claim 4 wherein said flange causes the sealing of said at least one prong in at least one nare of said user in use.
7. (Previously Presented) A breathing assistance apparatus according to claim 4 wherein said flange is a thin flexible extension that extends substantially completely around the circumference of said at least one prong.

8. (Currently Amended) A breathing assistance apparatus according to claim 4 wherein said flange is elliptical in shape, and wherein a first portion of said flange extends further from said at least one prong than a ~~second~~second portion of said flange.

9. (Previously Presented) A breathing assistance apparatus according to claim 1 wherein said at least one prong includes a flange, recessed area and shaped end where the recessed area is disposed between said flange and said shaped end and in use said flange extends into and seals within a user's nares.

10. (Currently Amended) A breathing assistance apparatus according to claim 9 wherein said shaped end comprises a wall thickness that becomes progressively thinner towards the shaped end's tip.

11. (Cancelled)

12. (Canceled)

13. (Previously Presented) A breathing assistance apparatus according to claim 10 wherein said nasal cannula has two nasal prongs.

14. (Original) A breathing assistance apparatus according to claim 13 wherein said prongs are oval and shaped to follow the contours of human nares.

15. (Previously Presented) A breathing assistance apparatus according to claim 13 wherein said prongs are angled toward one another to prevent dislodgement from said user's nares and assist in flow of gases into the user's nasal passages.

16. (Previously Presented) A breathing assistance apparatus according to claim 13 wherein said prongs each have a step formed in them such that in use the sides of said prongs abut the user's nasal septum so as to prevent said prongs from dislodging from said user's nares.

17. (Original) A breathing assistance apparatus according to claim 16 wherein each of said prongs include a protrusion formed opposite said step that assists in correct orientation of said prongs within said user's nares.

18. (Currently Amended) A breathing assistance apparatus according to claim 1[[θ]] wherein said nasal cannula includes a body ~~that has a~~comprising the plurality of apertures, ~~that act as a bias flow outlet vent for gases exhaled by said user~~ said body coupled to said at least one prong.

19. (Currently Amended) A breathing assistance apparatus according to claim 101 wherein said nasal cannula is configured to be connected to said transportation means-a gas conduit by way of a ball and socket joint, said gas conduit adapted to, in use, be in fluid communication with a source of gases.

20. (Currently Amended) A breathing assistance apparatus according to claim 1019 includes humidification means further comprising a humidifier adapted to, in use, be in fluid communication with said source of gases and said gas conduit transportation means and adapted to, in use, humidify said gases.

21. (Canceled)

22. (Previously Presented) A breathing assistance apparatus according to claim 6 wherein said flange is a thin flexible extension that extends substantially completely around the circumference of said at least one prong.

23. (Currently Amended) A breathing assistance apparatus comprising:

a nasal cannula shaped to fit within a user's nares, and adapted to deliver gases to said a user, said nasal cannula defining a longitudinal axis along its length;

said nasal cannula comprising at least one prong shaped to fit within a user's nare and configured for increased flow delivery of said gases and for creating a positive airway pressure in said user's airway,

said at least one prong comprising a first portion extending substantially parallel to the nasal cannula's longitudinal axis to a transition point where the at least one prong is configured to enter the user's nare, and a second portion extending configured to extend inside the user's nare from the first portiontransition point at an angle with respect to the nasal cannula's longitudinal axis,

said at least one prong further comprising an opening formed within the second portion, such that in use, gases flowing through said at least one prong are directed to said user's nasal passages.

24. (New) A breathing assistance apparatus according to claim 23 wherein said at least one prong includes a flange disposed about an outer circumference of the at least one prong at the transition point.

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25. (New) A breathing assistance according to claim 24 wherein said flange is configured to rest against the outside of the user's nare and seal the nare.

26. (New) A breathing assistance apparatus comprising:

a nasal cannula adapted to deliver humidified gases to a user, said nasal cannula defining a longitudinal axis along its length and comprising:

a body; and

at least one prong coupled to the body, shaped to fit within the user's nare, and configured for increased flow delivery of said gases and for creating a positive airway pressure in said user's airway;

wherein said at least one prong extends from the body substantially parallel to the nasal cannula's longitudinal axis and bends at a point where the at least one prong is configured to enter the user's nare, said at least one prong configured to extend inside the user's nare at an angle with respect to the nasal cannula's longitudinal axis.